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HEADQUARTERS EIGHTH ARMY
United States Army
Office of the Staff Judge Advocate

Yokohama, Japan
24 March 1948

UNITED STATES OF AMERICA VS RYUGO KANETSUNA
UNITED STATES OF AMERICA VS JUNJI MANO

Review of the Staff Judge Advocate

1. The attached record of trial of Ryugo Kanetsuna and Junji Mano, from 3 April 1947 to 14 April 1947 by a Military Commission appointed by paragraph 1, Special Orders No. 77, Headquarters Eighth Army, United States Army, dated 2 April 1947, having been referred to the Staff Judge Advocate, this review thereof is submitted to the Commanding General.

Personal Data Concerning Accused

NAME: Ryugo Kanetsuna
AGE: 25
RESIDENCE: Chiba-ken, Isumi-gun, Choja-machi, Choja 36
MARITAL STATUS: Single
RELATIVES: Mother, brother, sister-in-law
EDUCATION: Mission school in Aoyama Gakuin, middle school for one and a half years, Chosei middle school and Tokyo Commercial College
VOCATION: Not shown
MILITARY CAREER: Imperial Japanese Army from 1 October 1942 to end of war.

DATE OF CONFINEMENT: 15 November 1945
DATE OF ARRAIGNMENT: 3 April 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 3 to 14 April 1947
DATE OF SENTENCE: 14 April 1947
SENTENCE: CHL for nine (9) years
CLEMENCY RECOMMENDED BY COMMISSION: No

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NAME: Junji Mano
AGE: 33
RESIDENCE: Niigata-ken, Koshi-gun, Higashi Yamamura Oaza Minami Nigoro 2065.
MARITAL STATUS: Married
RELATIVES: Wife, one child
EDUCATION: Five years of schooling
VOCATION: Not shown
MILITARY CAREER: Imperial Japanese Army from 1 December 1935 to end of war.

DATE OF CONFINEMENT: 2 January 1946
DATE OF ARRAIGNMENT: 3 April 1947
PLACE OF TRIAL: Yokohama, Japan
PERIOD OF TRIAL: 3 to 14 April 1947
DATE OF SENTENCE: 14 April 1947
SENTENCE: CHL for six (6) years
CLEMENCY RECOMMENDED BY COMMISSION: No

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2. Synopsis of Charges, Pleas, Findings, Legal Sufficiency and Sentences:

| Charges and Specifications: | Pleas | Findings | Legally Sustained |
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| KANETSUNA | | | |
| Charge: Accused, at the times and places set forth in the specifications hereto attached, did violate the Laws and Customs of War. | NG | G | Yes |
| Sp 1: Between 21 December 1944 and 4 June ~~1945,~~ at Tokyo Area POW Camp | Withdrawn by the prosecution on motion of the defense. | | --- |



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| 18-D, also known as Yokohama Fire Brick Yard No. 18-D, Yokohama, Honshu, Japan, accused did unlawfully disregard and fail to discharge his duties as Commander of said Camp by permitting and compelling Allied PW's to work in regions exposed to the hazards of war, with no adequate shelter therefrom, and to work during aerial bombardment when directly exposed to the hazards of said bombardment. | | | |
| Sp 2: Between 21 December 1944 and 4 June 1945, at Tokyo Area POW Camp 18-D, also known as Yokohama Fire Brick Yard No. 18-D, Yokohama, accused did willfully and unlawfully mistreat and abuse Squadron Leader Neal Thomas Quinn, an Australian PW, by coercing and compelling him to sign a parole. | NG | G | Yes |
| Sp 3: Between 21 December 1944 and 5 June 1945, at Tokyo Area POW Camp 18-D, also known as Yokohama Fire Brick Yard No. 18-D, Yokohama, accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp to control and restrain members of his command and persons under his supervision and control, by permitting them to commit the following brutal acts, atrocities and other offenses against American and Allied PW's: | | | |
| a. Between 21 December 1944 and 5 June 1945, the unlawful misappropriation of Red Cross and other supplies intended for the use and benefit of American and Allied PW's. | NG | NG | --- |
| b. In or about January or February 1945, the unlawful mistreatment by a Japanese Sgt., of Squadron Leader Neal Thomas Quinn, an Australian PW, by beating and otherwise abusing him. | NG | G | Yes |
| c. Between 1 January 1945 and 4 June 1945, the unlawful mistreatment, abuse and beatings by Sgt. Ushio of numerous American PW's. | NG | NG | --- |
| d. Between 1 January 1945 and 4 June 1945, the unlawful mistreatment, abuse and beating of numerous American and Allied PW's. | Withdrawn by prosecution on motion by defense. | | --- |
| Sp 4: Between 1 March 1945 and 4 June 1945, at Tokyo Area POW Camp 19-D, also known as Yokohama Stevedoring Company, Yokohama, accused, Commander of said Camp, did willfully and unlawfully cause the confinement without food or water, for a long and unreasonable period of time, of one Able Seaman McCann, one Pvt. Boyle, one Mitchell and one Robertson, Allied PW's. | NG | G | Yes |



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| Sp 5: Between 1 March 1945 and 4 June 1945, at Tokyo Area POW Camp 19-D, also known as Yokohama Stevedoring Company, Yokohama, accused did willfully and unlawfully misappropriate Red Cross and other supplies intended for the use and benefit of Allied PW's. | NG | NG | --- |
| Sp 6: Between 21 December 1944 and 4 June 1945, at Tokyo Area POW Camp 10-D, also known as Yokohama Stevedoring Co., Yokohama, accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp to control and restrain members of his command and persons under his supervision and control, by permitting them to commit the following brutal acts, atrocities and other offenses against American and Allied PW's. | | | |
| a. In or about April 1945, the unlawful mistreatment by one Sgt. Mano of one Corp. Holmes, an American PW, by beating him, confining him in the guardhouse, and otherwise abusing him. | NG | Guilty, excepting the word "American", substituting therefor the word "British". Of the excepted word, Not Guilty. Of the substituted word Guilty. | Yes |
| b. Between February 1945 and 30 April 1945, the unlawful misappropriation of stores, rations and other supplies intended for American and Allied PW's by one Yoshida. | NG | NG | --- |
| c. Between February 1945 and 30 April 1945, the unlawful mistreatment by one Hoshido of numerous American and Allied PW's by beating and otherwise abusing them. | Withdrawn by prosecution on motion by defense. | | --- |
| d. Between 1 January 1945 and 5 June 1945, the unlawful mistreatment, torture, abuse and beatings of numerous American and Allied PW's. | Withdrawn by prosecution on motion by defense. | | --- |
| Sp 7: Between 4 June 1945 and 1 September 1945, at Tokyo Area POW Camp 2-B, also known as Kawasaki Camp, Kawasaki, Honshu, Japan, accused did willfully and unlawfully withhold and misappropriate Red Cross and other supplies furnished and intended for American and Allied PW's. | NG | NG | --- |
| Sp 8: Between 4 June 1945 and 1 September 1945, at Tokyo Area POW Camp 2-B, also known as Kawasaki Camp, Kawasaki, Honshu, Japan, accused did unlawfully disregard and fail to discharge his duty as Commander of said Camp by failing and neglecting to provide proper and adequate air raid shelters for American and Allied PW's, thereby contributing to the death during an air raid on or about 25 July 1945 of Pvt. | NG | NG | --- |



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| William J. Wilkes, Ensign Francis J. Carney, Corp. Archie Hendricks Shelton, Pvt. First Class Kurt Arthur Federolf, Pvt. First Class Chester Vincent Krawiecki, Pvt. First Class Stanley John Paluch, Machinist Bernard J. Snater, Pvt. First Class Orben Glen Price, Pvt. First Class Perl Vogel Gomme, Machinist's Mate First Class Arthur E. Foote, Chief Machinist's Mate Vernon M. Small, Chief Machinist's Mate Henry E. Strauch and Corp. Ray E. Van Horn, American PW's, Third Engineer Leonard Fergusen, Third Officer Alex Rucie, Warrant Engineer Arthur William Taylor and Sgt. R. A. Sidney M. Bentley, British PW's, Third Officer Francis G. Mahony, Second Officer Henry T. Rozea, Fourth Engineer Leopold J. Montgomery and Wireless Operator Leonard H. Cowle, Australian PW's, and Cannonier Scelto, Giovannki Minutolo, an Italian PW. | | | |
| Sp 9: On or about August 1945, at Tokyo Area POW Camp 2-b, also known as Kawasaki Camp, Kawasaki, Honshu, Japan, accused, Commander of said Camp, was present at and did willfully and unlawfully cause and condone the mistreatment, abuse and beating by Sgt. Kuriyama of Surgeon Lt. A. P. Curtain, a British PW. | NG | G | Yes |
| Sp 10: Between 4 June 1945 and 1 September 1945, at Tokyo Area POW Camp 2-B, also known as Kawasaki Camp, Kawasaki, Honshu, Japan, accused did unlawfully disregard and fail to discharge his duty of Commander of said Camp, to control and restrain members of his command and persons under his supervision and control, by permitting them to mistreat numerous American and Allied PW's by beating and otherwise abusing them. | NG | G | Yes |
| MANO | | | |
| Charge: Accused, at the times and places set forth in the specifications hereto attached, did violate the Laws and Customs of War. | NG | G | Yes |
| Sp 1: Between 5 May 1944 and 6 April 1945, at Tokyo Area POW Camp 19-D, also known as Yokohama Stevedoring Company, Yokohama, Honshu, Japan, accused did willfully and unlawfully beat and otherwise abuse one Thomas McCann, one Pvt. Boyle, Pvt. William Mitchell, and one Robertson, Allied PW's. | NG | G | Yes |
| Sp 2: Between 5 May 1944 and 6 April 1945, at Tokyo Area POW Camp 19-D, also known as Yokohama Stevedoring Company, Yokohama, Honshu, Japan, accused did willfully and unlawfully beat and otherwise abuse Corp. Charles R. A. Holmes, a British PW. | NG | G | Yes |



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| Sp 3: Between 5 May 1944 and 6 April 1945, at Tokyo Area POW Camp 19-D, also known as Yokohama Stevedoring Company, Yokohama, Honshu, Japan, accused did willfully and unlawfully beat and otherwise abuse Pvt. George Henderson, a British PW. | NG | NG | --- |
| Sp 4: On various occasions between 5 May 1944 and 6 April 1945, at Tokyo Area POW Camp 19-D, also known as Yokohama Stevedoring Company, Yokohama, Honshu, Japan, accused did willfully and unlawfully beat and otherwise abuse John Bowlen, one Pvt. Broderick, one Purdoe, one Hill, William Mitchell and numerous other American and Allied PW's. | NG | Guilty, excepting the words "and numerous other American and Allied PW's". Of the excepted words Not Guilty. | Yes |

3. Summary of the Evidence:

a. For the Prosecution:

MANO

As to Specification 1: The accused was identified as having been in charge of administration at Tokyo Area POW Camp 19-D from 5 May 1944 to 4 June 1945 (R. 60). Between 5 May 1944 and 6 April 1945 at said camp accused beat Allied PW's John Robertson, Thomas McCann, William Mitchell and James Boyle, following some trouble at the Yokohama dock when Robertson struck a coolie. Subsequent to the beating they were placed in a guardroom and confined without food or water for four days (Ex. 5, 6, 10, 12, 22, 23).

As to Specification 2: On or about 20 May 1945 at Camp 19-D, accused beat Charles R. A. Holmes, medical orderly in charge of the camp, when the prisoner refused to work at the dock unloading coal. He was knocked senseless to the ground, revived and beaten again. He was then placed in detention without food or water from 9 a.m. to 9 p.m. (Ex. 5, 6, 10, 12, 23).

As to Specification 3: Not Guilty.

As to Specification 4: Between 5 May 1944 and 6 April 1945 at Camp 19-D, accused struck William Mitchell with a wooden sword and beat him; he beat and abused other American and Allied PW's; Pvt. Purdoe, a member of the R.A. Regiment, was struck with the clenched fists of Mano and knocked down; John Bowlen and Pvt. Broderick were abused; Pvt. William Hill was severely beaten for striking a Japanese civilian (Ex. 5, 12).

KANETSUNA

As to Specification 1: Withdrawn (R. 44).

As to Specification 2: Accused was identified as camp commander of POW Camp 19-D and Camp 8-D during the period 20 December 1944 to 4 June 1945 (R. 55, 60, 78, 82; Ex. 2, 9). Squadron Leader Neal Thomas Quinn, between 21 December 1944 and 4 June 1945, was coerced into signing a parole under threat of severe punishment, solitary confinement and starvation for himself and bad treatment for the other PW's in the camp if he did not sign (R. 86; Ex. 12, 15).

As to Specification 3a: Not guilty.

As to Specification 3b: Between 21 December 1944 and 4 June 1945 Squadron Leader Neal Thomas Quinn, an Australian PW, was punched in the jaw by a Japanese sergeant until he was unconscious (Ex. 12, 15).



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As to Specification 3c: Not guilty.

As to Specification 3d: Withdrawn by prosecution on motion of defense (R. 44).

As to Specification 4: Between 1 March 1945 and 4 June 1945 at POW Camp 19-D, trouble occurred between the PW's and coolies unloading coal. A guard struck Robertson because he was not working hard enough. William Mitchell then rushed in and struck the guard and James Boyle and Able Seaman Thomas McCann and other prisoners became embroiled in a fight. These four Allied PW's were then beaten and placed in confinement for four days without water and food (R. 46, 47, 55, 78, 79, 81; Ex. 6, 10, 12, 22, 23).

As to Specification 5: Not guilty.

As to Specification 6a: In or about April 1945 at POW Camp 19-D an American PW, Corp. Holmes, who was medical orderly, was slapped and placed in confinement without food and water because he would not work (R. 64; Ex. 10, 12, 23).

As to Specification 6b: Not guilty.

As to Specification 6c: Withdrawn by prosecution on motion of defense (R. 44).

As to Specification 6d: Withdrawn by prosecution on motion of defense (R. 44).

As to Specification 7: Not guilty.

As to Specification 8: Not guilty.

As to Specification 9: On or about August 1945 Surgeon Lt. A. P. Curtain, a British PW, was severely beaten by Kuriyama in the presence of Lt. Kanetsuna because Lt. Curtain insisted that sick PW's could not work (R. 31, 38; Ex. 24).

As to Specification 10: Between 4 June 1945 and 1 September 1945 numerous American and Allied prisoners of war were beaten and otherwise mistreated (R. 39-41; Ex. 2). Capt. Slaasted, a very old man of the Norwegian Merchant Marine, was given a severe beating (R. 31). An Italian boy was beaten. Capt. Cant was beaten (R. 40).

b. For the Defense:

The accused, Junji Mano, was properly advised of his rights as a witness (R. 59) and stated that he desired to testify under oath and on the stand testified (R. 59-77). He is married and has a child three years old. He had five years of schooling. He was at POW Camp 19-D from 5 May 1944 until 4 June 1945 when it closed. He was corporal there until 1 August 1944 when he became a sergeant. He had administration of the whole camp (R. 60). When he was first there Lt. Hayashi was in command of the camp and when Lt. Hayashi left, Lt. Kanetsuna took command. When McCann, Boyle, Mitchell and Robertson (Spec. 1) were implicated in the fight at the dock, accused was not present but on return to the camp he conducted an investigation the next morning and concluded that these four were to blame for the trouble (R. 62). He did not beat them but he did slap two with his open palm during the investigation because he lost his temper when he found out they were the cause of the incident (R. 62). There were no physical effects. Kanetsuna (accused) did not strike them (R. 63). While they were in confinement he saw them once or twice every day. When they left confinement they were slightly weakened and one left with his arms around McCann's shoulder. Lt. Kanetsuna ordered their release. Accused, Mano, slapped Holmes (Spec. 1, Mano) several times when he refused to go to work. Corp. Holmes gave his reason for not working (R. 64) that he was medical orderly. Accused, Mano, remembered an incident (R. 66) between Yoshido and Bowlen when



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Bowlen reported Yoshida had struck him because of some argument over a blanket. Mano knew nothing regarding Broderick (Spec. 4, Mano). When Mitchell and Purdoe brought an organ into the bathhouse and Mitchell, wearing a loin cloth, danced they were reported (R. 67) to Mano who had Mitchell stand at the gate for thirty minutes clad only in a loin cloth. Hill struck a ship's cook when he would not give him a light and broke the cook's glasses. Hill was put in the guardhouse rather than trying him by court-martial (R. 68). Accused had been slapped by his superior for infraction of rules.

Tsuruichi Takahashi, a witness for the defense, testified (R. 44-56) that he lived in Canada for 37 years and was interpreter for the Yokohama Stevedoring Company who employed PW's. He identified the accused, Ryugo Kanetsuna and Junji Mano. He recalled medical orderly Holmes (Spec. 2, Mano) being punished for refusing to work (R. 48). He remembered when Henderson was punished by being made to hold a chair in the air; this punishment was given because Henderson traded stolen articles with coolies on the ship for cigarets (R. 48). He remembered Hill (Spec. 4, Mano) who was punished by being placed in the guardhouse for striking a coolie on board a ship because the coolie would not give him a light for a cigaret. The PW had been forbidden to go into the galley (R. 50). He heard that McCann and Boyle fainted the second or third day after they were confined without food or water (Spec. 1, Mano; Spec. 4, Kanetsuna; R. 53). Lt. Kanetsuna ordered the punishment (Spec. 4, Kanetsuna) of prisoners Mitchell, McCann, Boyle and Robertson (R. 54). Lt. Kanetsuna was taking care of both Camp 18-B and Camp 19-D (R. 55). Actually Kanetsuna had the responsibility of the camp, but in his absence Sgt. Mano took his place (R. 56).

Yamamuro Chuichi testified for the defense (R. 57, 58) that McCann, Mitchell, Boyle and Robertson were kept in confinement for four or five days and were weak and wobbly when released. He heard they had received some food during confinement.

Ryugo Kanetsuna, having been advised of his rights, (R. 3) testified under oath in his own behalf (R. 77-91). The accused is twenty-five years and eleven months of age, single, and has a mother, a brother and brother's wife living (R. 77). He recalled the instance of McCann, Mitchell, Boyle and Robertson's trouble in camp. When they denied striking the guard he became infuriated and told them in English "four days, no rice". They were released on the fourth day (R. 80). He did not order their hands and feet bound. He had intended to release them at the end of the fourth day, but when on that day he saw them so weak, he ordered their release earlier (R. 81). Holmes was not a medical orderly as recognized by the International Red Cross; he was an ambulance stretcher bearer, but for convenience sake he was recognized as medical orderly and accused did not order his confinement. He did not hear Sgt. Kuriyama beating Surgeon Lt. A. P. Curtain, though he did hear a lot of arguing (R. 88).

4. Opinion:

The Commission was constituted by proper authority and had jurisdiction over the accused and of the offenses charged. The question of sanity was not raised and was not an issue in this trial. The accused were given a fair trial. They cooperated in their own defense, and produced witnesses who testified in their behalf. Both of the accused took the stand in their own defense and they were given ample opportunity for cross-examination of the witnesses testifying against him.

No motion asking the disapproval or modification of findings or sentence was filed by the defense.

A petition for clemency filed in the case of Ryugo Kanetsuna and submitted by the Young Men's Association Choja-machi, Isumi-gun, Chiba Prefecture was carefully considered in this review. Very careful consideration was given to all of the exhibits of the Defense, 1 through 8, and especially to Exhibit No. 5, a letter from Major David H. James of the British Intelligence Corps, in which he indicated his appreciation of the efforts of Sergeant Junji Mano.



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No doubt this letter was carefully considered by the Commission and might have been one of the ameliorating factors in the short sentence given Mano. The accused was not adversely affected by any ruling the Commission made.

The record is legally sufficient to support the findings and the sentences of the Commission.

5. Recommendations:

The accused Junji Mano was sentenced to confinement at hard labor for a period of six years. No request for clemency was submitted. The sentence is legal and it is recommended that it be approved. It is further recommended that, owing to the length of time the accused has been in confinement prior to the date of sentence, one year and two months of the sentence be remitted.

The accused Ryugo Kanetsuna was sentenced to confinement at hard labor for a period of nine years. The request for clemency in the letter from the Young Men's Association Choja-machi, Isumi-gun, Chiba Prefecture was given careful consideration. The sentence is legal and it is recommended that it be approved. It is further recommended that, owing to the length of time the accused has been in confinement prior to the date of sentence, one year and five months of the sentence be remitted.

6. Action:

Forms of action to carry these recommendations into effect is attached.

MAJOR I. O. HAGEN
Judge Advocate Section
Reviewer

I concur in general with the views expressed in the foregoing review.

ALLAN R. BROWNE
Lt Colonel JAGD
Army Judge Advocate



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